



LG&E Energy LLC
220 West Main Street (40202)
P.O. Box 32030
Louisville, Kentucky 40232

November 22, 2005

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NOV 22 2005

PUBLIC SERVICE
COMMISSION

Elizabeth O'Donnell
Executive Director
Public Service Commission of Kentucky
211 Sower Boulevard
Frankfort, Kentucky 40602

**Re: *In the Matter of: Tri-County Fish and Game Club v. Kentucky Utilities Company,*
Case No. 2005-00441**

Dear Ms. O'Donnell:

Enclosed please find an original and ten (10) copies of the Motion for Leave to File Amended Answer and Answer of Kentucky Utilities to the Complaint of Tri-County Fish and Game Club in the above-referenced docket.

Should you have any questions concerning the enclosed, please do not hesitate to contact me.

Sincerely,

John Wolfram
Manager, Regulatory Affairs

cc: George Steedly
Stephen Ray Dunn
Frank N. King, Jr.
Mark A. Bailey

BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

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PUBLIC SERVICE
COMMISSION

TRI-COUNTY FISH AND GAME CLUB)
)
COMPLAINANT)
)
v.)
)
KENTUCKY UTILITIES COMPANY)
)
DEFENDANT)

CASE NO. 2005-00441

* * * * *

MOTION FOR LEAVE TO FILE AN AMENDED ANSWER

Pursuant to 807 KAR 5:001, Section 3(5), Kentucky Utilities Company (“KU” or the “Company”) hereby moves the Kentucky Public Service Commission (“Commission”) for leave to file an Amended Answer. In support of its Motion, KU states as follows:

In an effort to timely resolve this dispute and subject to the approval of this Commission, KU is now willing to provide electric service the Tri-County Fish and Game Club for as long as they would like the Company to do so. KU seeks to amend its Answer to clarify its position.

WHEREFORE, KU respectfully requests the Commission to enter an Order granting it leave to amend its Answer.

Dated: November 22, 2005

Respectfully submitted,



Elizabeth L. Cocanougher
Senior Corporate Attorney
LG&E Energy LLC
220 West Main Street
Louisville, Kentucky 40202
(502) 627-4850

James J. Dimas
Senior Corporate Attorney
LG&E Energy LLC
220 West Main Street
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(502) 627-3712

Counsel for Kentucky Utilities Company

CERTIFICATE OF SERVICE

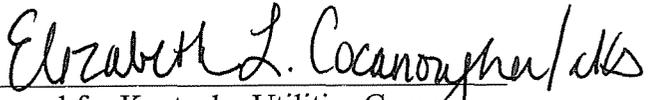
The undersigned hereby certifies that a true and correct copy of the foregoing Motion was served on the following on the 22nd day of November, 2005, U.S. mail, postage prepaid:

George Steedly
President
Tri-County Fish and Game Club
430 Highway 41-A North
Providence, Kentucky 42450

Stephen Ray Dunn
800 Princeton Street
Providence, Kentucky 42450
Counsel for Tri-County Fish and Game Club

Frank N. King, Jr.
Dorsey, King, Gray, Norment & Hopgood
318 Second Street
Henderson, Kentucky 42420
Counsel for Kenergy Corp.

Mark A. Bailey
Kenergy Corp.
3111 Fairview Drive
P.O. Box 1389
Owensboro, Kentucky 42302



Counsel for Kentucky Utilities Company

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

TRI-COUNTY FISH AND GAME CLUB)	
)	
COMPLAINANT)	
)	
v.)	CASE NO. 2005-00441
)	
KENTUCKY UTILITIES COMPANY)	
)	
DEFENDANT)	

AMENDED ANSWER OF
KENTUCKY UTILITIES COMPANY

In accordance with the Kentucky Public Service Commission’s (“Commission”) Order of November 3, 2005 in the above-captioned proceeding, Kentucky Utilities Company (“KU” or the “Company”) respectfully submits this Amended Answer to the Complaint of Tri-County Fish and Game Club, George Steedly, President (“Tri-County”) filed on October 26, 2005. In support of its Amended Answer, and in response to the specific averments contained in said Complaint, KU states as follows:

1. KU admits the allegations contained in paragraph (a) of the Complaint, on information and belief.
2. KU admits the allegations contained in paragraph (b) of the Complaint.
3. With regard to the allegations contained in paragraph (c) of the Complaint, KU states as follows:
 - a. KU admits the statements that “Our Club desires electrical service.

Our property consists of about 30 acres of strip-mined land containing 3 open sheds. Our

property is in the Kenergy area but their closest service to our proposed meter pole is about 600 yards” on information and belief.

c. KU is without knowledge or information sufficient to form a belief as to the truth of the averment that “[a] line here would have to first cross another property owners front yard, then come through the center of our property taking out a large swath of our best woodland.”

d. With regard to the averment that “KU service, on the other hand, is already on our property. From their pole on the back of our property to our meter pole is wide open and only 100 yds,” KU states that it has two-phase primary voltage lines located approximately 300 feet (~100 yards) from the existing meter pole installed by Tri-County. In order to provide service to Tri-County, KU could install one overhead transformer and construct approximately 300 feet of secondary conductor and associated poles to the meter pole.

e. KU is without knowledge or information sufficient to form a belief as to the truth of the averment that “[n]ot only can we not afford the \$5000-\$7000 it would cost to hook to Kenergy, we do not wish to destroy our woodland and create an eyesore in the middle of our property.”

f. As to the averments that “Kenergy has agreed to let KU service us” and “KU will not accept the agreement,” KU affirmatively states that, subject to the approval of the Commission, it is now willing to serve Tri-County for as long as the customer would like for KU to do so.

4. KU denies all allegations contained in the Complaint which are not expressly admitted in the foregoing paragraphs of this Answer.

FIRST AFFIRMATIVE DEFENSE

The property at issue in this Complaint is located wholly within the service territory of Kenergy Corp. (“Kenergy”). As a result, Kenergy is entitled to serve this customer. If, however, Kenergy and the customer would prefer for KU to serve Tri-County, subject to the approval of the Commission, KU is ready, willing, and able to serve this customer for as long as the customer would like for KU to do so.

WHEREFORE, for all of the reasons set forth above, Kentucky Utilities Company respectfully requests:

- (1) that the Commission determine the appropriate electric service provider for Tri-County; and
- (2) that KU be afforded any and all other relief to which it may be entitled.

Dated: November 22, 2005

Respectfully submitted,



Elizabeth L. Cocanougher
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CERTIFICATE OF SERVICE

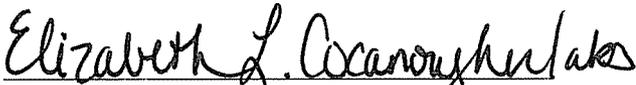
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